

Books Considered

Perjury: The Hiss-Chambers Case
by Allen Weinstein

(Knopf; \$15)

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(orig under soc)

It's not another Dreyfus Case, although some Hiss supporters may try to make it look that way. No, it's more like the Battle of Blenheim, in Southey's version, all skulls and sighs;

"But what good came of it at last?"

Quoth little Peterkin.

"Why that I cannot tell," said he.

"But 'twas a famous victory."

It made a tremendous amount of noise and did considerable damage to a number of individuals; it wrecked the lives of the two antagonists and hurt many more; it gave Tricky Dick Nixon a first leg up in his clamber to the White House; if it did not let loose the baying dogs of Joe McCarthy, it certainly whooped them on. But it was not even a small step forward for the human race; its overall result was to leave the world a little dingier than before. And it hasn't quite petered out yet.

Alger Hiss in 1948 was apparently the very model of everything a rising young civil servant should be: alert, able, ambitious, a darling of the Establishment and of the many nice people who were proud to know him. He was in charge of protocol at Yalta, he set up the first meeting of the United Nations in San Francisco; Dean Acheson was his friend and mentor. Whittaker Chambers was short and fat, a seedy ex-Communist who worked for *Time*, where he made more enemies than friends—a Graham Greene character,

murky with melodramatic brooding over suicide and doom. It was a delightful shock for the newspapers when Chambers publicly accused Hiss of being a fellow Communist and of having aided and abetted Chambers in passing confidential government documents to Moscow.

Hiss thereupon sued Chambers for libel. After much confused investigation, a grand jury indicted Hiss (not Chambers) for perjury. There were two trials, both in New York. The first trial ended in a hung jury (8 to 4 for convicting Hiss), the second found Hiss guilty, and the judge sentenced him to five years in prison. He actually served three years and eight months.

Hiss was disbarred from law practice, lost his State Department pension, and could find only poorly paid jobs. Shortly after he came out of jail he and his wife separated; they have not, however, been divorced. He has spent the 28 years since his trial trying to vindicate himself and turn the tables on his accuser.

Chambers lost his job at *Time*, and wrote a best-selling autobiography, *Witness*, which helped pay some of his debts. To some readers (including this one) the book was Dostoyevskian, to others "maudlin prose." Later he wrote regularly for William Buckley's right-wing *National Review*, until a series of heart attacks made him a semi-invalid. The last attack, in 1961, finished him.

Now the tide has turned in Hiss's favor. A British reporter recently cabled from New York: "Today, Alger Hiss is a respected figure in intellectual circles and most American liberals believe that he was deliberately framed." Hiss intends to bring suit to have the evidence in his case reviewed. His State Department pension has been restored and he has been re-admitted to the Massachusetts bar.

Five years ago Allen Weinstein, professor of history at Smith College, set to work on the vast midden of papers that have piled up over this case. He studied the evidence, pried loose from the reluctant FBI much hitherto "classified" material, and interviewed every key figure in the case who would see him. This required far-flung travel, sometimes to the Iron Curtain countries where some of them have gone to ground.

The result is this huge report—not so much a book to be read as a massive document to be pored over. I doubt if many readers will read it for pleasure or even read every word; but this book is now part of the Hiss Case: it has been placed in evidence, and before Hiss can be exonerated this book will have to be refuted.

Professor Weinstein, who never met Chambers, obviously does not find him an overly sympathetic character, but treats him with severe justice. Only once does he permit himself a small smile at Chambers's expense: "His health repaired and his spirits restored to a state of normal melancholy . . ." And not all the fresh material which Professor Weinstein produces is favorable to Chambers: e.g., he cites his written confession that he had been for a time a practicing homosexual—a document Chambers drew up for the FBI in expectation that Hiss's lawyers would press the same damaging charge. (Yes, Virginia, in those days homosexuals were "queer," not "gay.") They didn't, however.

Other new findings Professor Weinstein reports are more injurious to Hiss: e.g., that two years before the case broke, "almost all of the [State] Department security staff thought Hiss had been involved in some form of undercover Communist work"; and that Secretary Byrnes had begun to ease him out of the Department as a security risk.

As Professor Weinstein reminds us, facts can be disregarded with impunity (except in a court of law), and in the public estimate of this case they often have been disregarded. "Almost from the moment the 'facts' began to emerge

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in 1948, they concealed in partisan accounts, each side serving up a relatively simple morality tale . . . The episode became, for many, an article of faith. Thus Walter Lippmann told Richard Rovere . . . 'I know Alger Hiss. He couldn't be guilty of treason.' Some of Chambers's closest friends at *Time* argued with equal implacability on his behalf."

The accuser admitted in court that he had lied and had been a spy; the accused has admitted nothing to this day. He says: "I can't understand people who tell me they are ashamed about something. I have never done anything of which I am ashamed. I always mean to do what I do . . . By the time I am 80 I expect to be respected and venerated."

On the evidence—partly Chambers's testimony that he and his wife had been close friends of the Hisses (denied by them) and that he and Hiss had worked together in stealing state secrets for the Soviets, but mainly by microfilms of documents taken from government files and copied on Hiss's typewriter—the jury found Hiss guilty of perjury. (The graver charge of espionage, implicit in this verdict, could not be brought against either man, because the statute of limitations had quashed it.)

"Nothing has done more to legitimize public support for Alger Hiss," says Professor Weinstein, "than the disgrace and downfall of Richard Nixon . . . Hiss found himself transformed from a symbol of deception to one of injured innocence . . . Many Americans . . . could now consider Hiss exonerated without knowing the evidence, vindicated without the inconvenience of first demonstrating himself innocent."

If Professor Weinstein has correctly reviewed this case, as I think he has, the "new evidence" which the FBI has been forced to release can only underline the old; and if so, Alger Hiss would do well to let sleeping dogs lie. Without completely echoing Esther Chambers's anguished cry in court: "My husband is a decent citizen, a great man!" I believe with Lionel Trilling that Chambers was a "man of honor," and that "the more complex and sometimes embarrassing facts" (as Professor Weinstein calls them) go far to prove it. What Hiss is I have no idea; he seems to me simply—incredible.

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